United Nations A/HRC/26/NGO/99

General Assembly

Distr.: General
6 June 2014

English only

Human Rights Council
Twenty-sixth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Conectas Direitos Humanos, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-04457
1404457

Please recycle

Human rights violations in FIFA World Cup Brazil

Conectas Direitos Humanos, together with Justiça Global, wishes to draw attention to the serious human rights violations in Brazil, the host country of the Fifa World Cup.

Brazil is today a country emerging on the international scene as a global and regional economic actor, with a democratic system considered to be solid and facing historical social problems. However, a complex context of human rights violations that contrasts with that image still persists.

Latin America is going through a time of aggressive pursuit of development. The proximity between political representatives and business groups has created a confusion of the boundaries between business and state. The Brazilian government has directly funded business activity through its foreign policy, facilitating the entry of their companies in other countries. It also adopts a strategy of assuming corporate interests as national interests. This diplomatic package that accompany investment processes promotes deterioration of environmental laws and guarantee the absence of extraterritorial jurisdiction of human rights that would allow victims the access to an effective judicial remedy. The international legal framework to which companies are subject stems from its obligations and Soft Law is voluntary, based on codes of business conduct, which may change according to business interests. The mechanisms of international accountability of companies, based in the UN Global Compact, the OECD rules and WTO are insufficient to guarantee victims the right to an effective remedy

In the area of human rights defenders, the vast majority of attacks are related to the right to land. There is a serious process of criminalization and downgrading human rights defenders, mainly by landowners, big corporations and hegemonic media. Although it is one of the few countries in the world that has a National Programme for the Protection of Human Rights Defenders, the main difficulty is that human rights still isn't a priority neither for the Federal Government nor for states government. After almost 10 years since its inception, the Program has numerous problems: the resources devoted to the protection programs are inadequate; it's necessary to foster a real participation of the security forces in the programs; there is a discontinuity of state programs due to excessive bureaucracy in its implementation; lack of technical capacity for the effective protection of human rights defenders; and also the need to move beyond the police protection and address the structural causes of threats to human rights defenders .

Moreover, the year 2013 was also marked by great social protests in Brazil , mainly from June 2013 on. In the effervescence of social movements and civil society scenario, the Brazilian government opted to adopt repressive and criminal hardening measures to deal with Brazilian population claims. As a result of police repression in order to prevent the right of free expression, 21 deaths were registered, mostly in protests in slums or remote areas. There are also several reports of people who had their physical integrity violated, in some cases permanently, as the Futura Press journalist Sérgio Silva. In this sense, it's important to highlight the constant attack on journalists who try to register police abuses in demonstrations, through the use of less lethal weapons or arbitrary arrests. According to the Brazilian Association of Investigative Journalism, between June and October 2013 only, 83 journalists were injured in mass demonstrations. A second strategy used by Brazilian government to prevent the right to freedom of expression and of assembly to be exercised is criminalization of the protesters. Apart from using arbitrary arrests to demobilize protesters, there is a movement in Congress to create new criminal types. There are currently 17 bills aimed at creating or extending crimes to punish those who protest. We may affirm that there's a joint operation between the Legislative, Executive and Judiciary in order to prevent and suppress the right to free expression in the country.

In the sphere of public security, the Police Pacification Units (UPPs) project marks a context of militarization, repression and heightened surveillance, including curfews and criminalization of cultural events. We understand the UPP as a government control technology over slum populations and territories, under the argument of drug war. Less than combatting drug trafficking, such militarized State presence in the favelas is marked by the systematic human rights violations. Based on the human rights violations monitoring performed by Justiça Global, we have identified especially summary executions of slum inhabitants, the indiscriminate use of " non- lethal " arms and arbitrary arrests in the favelas where the UPPs have been installed. In June last year, we sent a report to the UN Special Rapporteur on Summary, Arbitrary and Extrajudicial Executions about human rights violations in Rio de Janeiro's slums where the

Pacifying Police Units were installed. In that document, we have called the attention of the Rapporteur for the first six cases of executions of residents caused by the action of the UPP police officers. Now we are about to finish another report to be sent to the same Rapporteur, with 20 other cases of slums inhabitants executions caused by policemen operating in UPPs. We are also including the famous case of Amarildo Dias de Souza (torture followed by death) in the whereabouts of the Favela da Rocinha UPP.

On the other hand, Brazilian prison system has experienced a dizzying growth. In 2000, there were 232.755 prisoners, with 80.775 pre-trial detainees to a national population of about 169 million, in other words 137 inmates for every 100,000 inhabitants. The latest data released by the government from December 2012, indicate 548,003 persons deprived of their liberty, with 195.036 pre-trial detainees, for a total population of approximately 199 million, reaching 275 prisoners for every 100 thousand inhabitants. The percentage of detainees doubled in these twelve years. The inhumane situation of prisoners in 2000 was dealt with by the State through the construction of more prisons. The number of prisons arose from 893 to 1,478 prisons. The number of vacancies has grown thus, but the reality of overpopulation, the degrading conditions of detention and the practice of torture that permeates the Brazilian prison system have not changed. They are still present and there doesn't seem to be any interest or political will to change this situation, whose solution shouldn't be the construction of more prisons and jails, but rather the reduction of the over incarceration, which is the modus operandi of the Brazilian criminal justice system.